

WATER USERS ANNUAL MEETING

Minutes of the meeting of the Water Users on Utah Lake and Jordan River from the pumping plant on Utah Lake to and including the North Jordan Weir near Midvale, Utah.

The meeting was held in the Water Conference Room, State Capitol, January 21, 1970, at 10:00 a.m.

Those present and the users represented were as follows:

David B. Gardner	Commissioner, Utah Lake & Jordan River
Charles W. Wilson	Salt Lake City Corporation Water Department
C. J. Barber	U.S. Smelting, Refining & Mining Company
Richard Carlquist	Draper Irrigation Company
E. K. Winder	Utah & Salt Lake Canal Company
H. C. Bertoch	Vice President, Utah & Salt Lake Canal Co.
Vern H. Morgan	President, Utah & Salt Lake Canal Co.
Frank Reese	Controller, State Engineer's Office
Richard R. Pexton	Accountant, State Engineer's Office
Wm. Joe Melling	Division of Water Rights
J. G. Haight	Utah Power & Light Company
William Gedge	President, Utah Lake Distributing Company
Seymour J. Godfrey	South Jordan Canal Company
Reed Mackay	South Jordan Canal Company
Leland Withers	South Jordan Canal Company
C. Rell Swensen	North Jordan Irrigation Company
James B. Lee	Counsel for Kennecott Copper Corporation
Dean D. Kerr	Kennecott Copper Corporation
S. Bryce Montgomery	State Engineer's Office
Hubert C. Lambert	State Engineer
Donald C. Norseth	Division of Water Rights
John Bene	Deputy State Engineer

David B. Gardner, S. Bryce Montgomery, Donald C. Norseth, John Bene, Richard R. Pexton and Frank Reese were present, but had no voice in the voting. The Kennecott Copper Corporation's interest was voted by Mr. Dean D. Kerr and Mr. James Lee, and the United States Smelting, Refining and Mining Company's interest was voted by Mr. C. J. Barber. It was determined by canvass of those present that there was a quorum in attendance.

Hubert C. Lambert, State Engineer, opened the meeting and welcomed all members and set forth the purpose and procedure of the meeting.

Mr. Lambert indicated that the budget as set forth for the Water Users on Utah Lake & Jordan River was to come from assessments from the members and no accounts would be paid for by the State itself, which is necessary under the Laws of the State of Utah. Also, he made mention of the accounting necessary for each Water Users District within the state would continue to be paid by the State and not charged as requested by the Legislature of 1969. He also commented on the number of gauging stations that were being deleted from the overall State's Measuring Station. He indicated that eight years ago there were 180 gauging stations, and at the present time there were 139, and they anticipated cutting them down again to a possible 127. He felt that in some cases this was not good practice.

Mr. Donald C. Norseth of the State Engineer's Office talked concerning the proposal to consolidate the lower Jordan River and the central section with that of the upper Jordan River, ie., Utah Lake & Jordan River. This problem was discussed throughout the group, and it was decided that the committees would meet at a later date before any action would be taken by this body.

It was moved by Mr. Swensen and seconded by Mr. Lee that Mr. Charles W. Wilson act as Chairman of the meeting and Mr. David B. Gardner act as Secretary. There were no objections to these two men holding these positions and they were elected by acclamation, and the motion was carried unanimously.

The meeting was called to order by Mr. Charles W. Wilson, Chairman of the Board.

Mr. Wilson introduced to the members, Dean D. Kerr, an engineer representing Kennecott Copper Corporation. He indicated that Mr. Kerr had replaced Mr. A. J. Thuli in this capacity.

Mr. Wilson asked that all members of the meeting look over the minutes of the previous meeting held January 24, 1969 for any corrections or amendments. After some minor discussion, Mr. Lee made the motion, seconded by Mr. Gedge that the minutes stand approved as submitted.

The Chairman then asked for a financial report which was read and explained by Mr. Frank Reese, a copy of the financial report having previously been furnished to the Secretary for distribution to each of the major users in the District. Among other things, the 1969 report showed as follows:

UTAH LAKE & JORDAN RIVER DISTRIBUTION SYSTEM

1969

FINANCIAL STATEMENT

A. Balance of Distributing Trust Funds January 1, 1969: \$7,035.40

B. Receipts and Expenditures:

1. Receipts

(a) Regular Assessments \$11,371.95

(b) Delinquent Collections 1.20

(c) Total Receipts 11,373.15

2. Expenditures 12,669.03

C. Balance of Distribution Trust Funds December 31, 1969: \$5,739.52

Mr. Swensen moved that the financial report be approved and ordered filed. Seconded by Mr. Carlquist. Motion carried unanimously.

The Chairman declared the next order of business would be the election of a Commissioner and Deputy Commissioner for recommendation to the State Engineer for appointment. Mr. C. Rell Swensen moved that David B. Gardner be recommended to the State Engineer for the position of Commissioner of Utah Lake & Jordan River, and that Mr. Jack B. Rindlisbach be recommended to the State Engineer for appointment to the position of Deputy Commissioner of Utah Lake & Jordan River, both for the period from January 1, 1970 to December 31, 1970, or until a successor to either or both be appointed and qualified. It was seconded by Mr. Mackay and motion was carried unanimously.

It was moved by Mr. Carlquist and seconded by Mr. Swensen that the salary of the Commissioner be set at \$5,800.00 per year, payable in 12 equal monthly installments for such portion of his time as is necessary to properly distribute the waters of the system and file a complete report of his work with the State Engineer, and in addition to the above salary, the association shall pay the telephone bill of the Commissioner (\$10.00 per month), he shall receive 10¢ per mile automobile expense while on official duty, and \$20.00 per month shall be paid to the Commissioner for office rent. Motion carried unanimously.

It was moved by Mr. Carlquist and seconded by Mr. Swensen that the salary of Deputy Commissioner be set at \$4,500.00 per year, payable in 12 equal monthly installments, and in addition to the above salary, he shall receive 10¢ per mile automobile expense while on official duty and 2 weeks vacation with pay, said vacation to be taken only during non-irrigation season and said date or dates to be approved 30 days in

in advance by the Commissioner. Mr. Rindlisbach, also, to have some week-ends off during the summer time. These dates to be approved by the Commissioner. Motion was carried unanimously.

It was moved by Mr. Swensen and seconded by Mr. Withers that the committee for the Water Users be represented by the following men: Mr. Charles W. Wilson, Richard Carlquist, Alma Fairbourn, Dean D. Kerr and David B. Gardner. These men are to transact any business with the State Engineer's Office on behalf of the Water Users for the ensuing year. Motion carried unanimously.

The next order of business was the setting of the budget for the year 1970.

WATER COMMISSIONER OF UTAH LAKE	
Salary	\$5,800.00
Travel	600.00
Telephone	120.00
Social Security Matching	280.00
State Retirement	250.00
DEPUTY WATER COMMISSIONER OF UTAH LAKE	
Salary	\$4,500.00
Travel	350.00
Social Security Matching	216.00
State Retirement	200.00
NEW EQUIPMENT	500.00
BONDS AND INSURANCE PREMIUMS	125.00
COMMISSIONER'S REPORT	300.00
OFFICE SUPPLIES	100.00
* CONTRACTURAL SERVICES	500.00
MISCELLANEOUS FUND	100.00
OFFICE RENT	240.00
** HEALTH INSURANCE CONTRIBUTION FUND	<u>425.00</u>
<u>TOTAL BUDGET</u>	\$14,606.00

* Motion was made by Mr. Lee and seconded by Mr. Kerr that a Contractural Service be made a part of the 1970 Budget which will be used for payment of vacation and weekend service for the Deputy Commissioner. Motion was carried unanimously.

** The Executive Committee is to determine the percentage that the Water Users will contribute to this fund, but not to exceed 50% of the total health insurance package.

At the end of the budget report, Mr. Carlquist made a motion, seconded by Mr. Barber that the annual budget be set at \$14,606.00, and that the minimum assessment to any user be set at \$1.00, and also, the State Engineer to be authorized to use any surplus or bank balance remaining to the credit of the association on December 31, 1969, to meet expenses until such time as the 1970 Assessment is collected and that the State Engineer be authorized to charge a 10% penalty on all accounts that are over 60 days delinquent. The motion was carried unanimously.

Mr. Reese, the Controller from the State Engineer's Office, proposed that the same method be used as a basis for setting the assessment for 1970 be the same as was set up to determine the 1969 assessment, ie., that the first years water use prior to the assessment be used.

David B. Gardner, Commissioner was asked to make his report concerning the water outlook for the year 1970, and that report is as follows:

The water supply outlook for the calendar year 1970 is considered excellent with the Utah Lake elevation January 1, 1970 being a -0.86 feet in comparison to a -1.47 feet on January 1, 1969. The United States Weather Bureau forecast for the water supply outlook January-September, 1970, using 1953 thru 1967 average indicates the Utah Lake drainage to be 120% to 130% of this average. They also forecast a total inflow supply for that

period at 500,000 acre feet. It is my personal opinion that our inflow should be in the neighborhood of 380,000 acre-feet, but nevertheless, Utah Lake should reach compromise between March 1st and March 15th and will peak about May 1st to May 15th at a +0.75 feet.

The Jordan River Dam Commission consisting of the following members: Seymour J. Godfrey, Chairman; Harold Mendenhall, Secretary; Alfred Madsen, member; Frank Pierson, member; Ward Holbrook, member referee (Davis County); met in my office January 14, 1970 to review what had taken place in 1969, and determined if any further action could be taken over and above the gates at the lake being opened as prescribed by the Compromise Agreement. The Question arose on whether the Jordan River was in a free flow state, due to the fact that the lower sluice gates at the Turner Dam were not opened. It was my understanding that the Indian Ford area acted as a natural dam, and thus, the lower sluice gates would have no bearing on the amount of water discharged. After complete examination of old elevations taken in 1935 and again in 1961, I determined that the bottom of Indian Ford was 0.44 feet lower than the crest of the radial gates of the Turner Dam; therefore, if the lower sluice gates were opened there would be no appreciable affect on the discharge through the gates at Utah Lake. According to the Compromise Agreement, the Jordan River Dam Commission has the authority to order the Commissioner to open all possible outlets in the Jordan River to satisfy the free flow state, but at this time, they have not so ordered.

As of January 20, 1970, the discharge of the Jordan River at the Jordan Narrows was 450 c.f.s. and should peak at about 600 c.f.s. in early May. All this is strictly an estimate based on future forecasting, and could vary greatly depending on the amount of precipitation, together with weather conditions. I feel that adequate flood control measures have been taken in Salt Lake County to prevent any major flooding.

It was moved by Mr. Carlquist and seconded by Mr. Gedge that the Utah Lake Water Users approve the Utah Lake and Jordan River Dam Commission as selected. Motion carried unanimously.

Mr. Joe Melling from the State Engineer's Office commented to the Board that he felt that a preliminary of the readjudication on the Jordan River Distribution system could be in the hands of these users by April 1, 1970,

but there was some legal problems on the lower distribution, and they would have to be resolved prior to the time the full report could be obtained.

There being no further business to come before the meeting, it was moved by Mr. Kerr that the meeting adjourn. Seconded by Mr. Barber. Motion was carried unanimously.

Chairman

Secretary